

EXECUTIVE ORDER

WHEREAS, Ordinance O. 1407-2004 of the Township of Edison provided for expanded notification to residents of certain major applications before the Planning and Zoning Board.

WHEREAS, Ordinance O.1407-2004 provided that property owners within three hundred (300) feet of the subject property would be notified of hearing before the approving board concerning applications for a preliminary or final Major site plan and subdivision application or use variance.

WHEREAS, Ordinance O.1407-2004 further provided that a sign be posted on property subject to these application giving notice to the public when an application was pending and providing a contact number for information regarding the nature and extent of development proposed.

WHEREAS, as a result of the decision of the Superior Court of New Jersey, Law Division that Ordinance has become unenforceable.

WHEREAS, I have directed the Department of Law to file an appeal and that appeal is now pending in the Superior Court of New Jersey, Appellate Division. Until such time as this decision is overturned by the Court, the Township is unable to compel an applicant to provide this enhanced notice.

WHEREAS, in an effort to ensure public access to information concerning pending planning and zoning application and to further the public policy goals of that Ordinance are effectuated,

I, GEORGE A SPADORO, Mayor of the Township of Edison, by virtue of the authority vested in me by the Charter of the Township of Edison and the Code of this Township do hereby **ORDER AND DIRECT THAT** within 30 days of the date of this order:

1. There shall be posted on the Township's website, www.edisonnj.org, information concerning all pending applications before the Planning and Zoning Board for Preliminary and Final Major Site Plan and Subdivision or d. variances under section 70 of the Municipal Land Use Law Use Variance. The information shall include the following:

- a. the name and address of the applicant;
- b. the address and location of the proposed development;
- c. a description of the proposed development;
- d. name and address, where applicable, of the person preparing the plans
and the attorney representing the applicant; and
- e. a status of the application.

2. The agenda for all Planning and Zoning Board meetings shall be posted on the Township's website.

3. Notice of the date and time of all Planning and Zoning Board meetings shall be run on the Edison TV Community Bulletin Board.

4. The minutes of all Planning and Zoning Board meetings shall be posted on the Township website.

5. Whenever notice of an application is required by the State Land Use Law or Township Code for an application before the Planning or Zoning Board, The Township will provide notice thereof by regular mail to all owners of property within three hundred (300) feet of property subject to. This notice will be in addition to any notice required to be given by an applicant.

6. The Township will request all applicants to voluntarily comply with the requirement for the posting of a sign giving notice of a development. In any circumstance where the applicant does not voluntarily comply with this request, the Township will construct a sign within the Township right-of-way concerning the proposed application and also provide contact information within the Township for more detailed information.

7. The Department of Law shall prepare and submit to the Township Council an Ordinance amending the Code of the Township of Edison to provide that in addition to those documents currently provided, all applicants for preliminary and final major subdivision or site plan and d. variances under section 70 of the Municipal Land Use Law Use shall supply to the Township detailed colored architectural renderings for all proposed buildings and shall provide those drawings and all plans to the Township in an electronic format so that same may be made available and accessible through the Township's website.

George A. Spadoro, Mayor

Dated: January 20, 2005